

BACONTON COMMUNITY CHARTER SCHOOL

GOVERNING BOARD OF DIRECTORS POLICY MANUAL

Revised February, 2018

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The Baconton Community Charter School (“BCCS”) Governing Board adopts the following policies, effective on the date of adoption by the Board.

BOARD ROLES AND RESPONSIBILITIES

SECTION 1. Board Member Status

SECTION 1.1. The legal status of every individual serving on the school’s Board shall be that of “member.” The legal status does not authorize an individual of the Governing Board to act or legally bind the Governing Board without a public resolution of a majority of the whole Board or unless specifically allowed through the school’s Bylaws. Power vested in the Governing Board is vested as a body.

SECTION 1.2. Board members shall not be held liable for torts inflicted by school employees, pupils, or the general public. Neither the Board, its individual members, nor any Board member personally, shall be liable for actions taken in the good faith performance of the Board’s discretionary functions and/or official duties. Nothing stated in this policy, or any policy adopted by the Board, shall constitute a waiver of any immunity available to the Board, its individual members and/or Board members personally.

SECTION 2. Powers of the Board

SECTION 2.1. The BCCS Governing Board’s powers are established and limited by: The Georgia Charter Schools Act of 1998; The Constitution of the State of Georgia; applicable federal and state laws; applicable Georgia Department of Education Board Rules and Policies; and all other rules, laws and/or decisions applicable to BCCS.

SECTION 3. Responsibilities of the Board

SECTION 3.1. The BCCS Governing Board shall be the governing body charged with the responsibility for the operation of BCCS. The most notable responsibilities shall be as follows:

- Create and support a clear mission, vision, and performance objectives;
- Review and maintain Bylaws;
- Establish, interpret and enforce policies consistent with the mission;
- Ensure fiscal health of the school including capital assets, operating budgets, fundraising, and endowments;
- Adopt the annual financial budget;
- Approve monthly General Fund and other reports and approve expenditures as required by Board policy;
- Hire, support, manage, and assess the school leader;
- Require reports of the school leader concerning the school’s progress;
- Develop itself through orientation, ongoing education, and leadership succession planning;
- Establish strategic plans;

- Comply with Georgia’s Open Meetings and Open Records Acts;
- Ensure all members are actively involved in the work of the Board and committees;
- Assure compliance with federal and state laws, regulations and rules;
- Assist in development of plans and specifications;
- Act as a final appeals Board for personnel, parent, and student grievances;
- Hear communications, either written or oral, from stakeholders relating to matters of BCCS policy;
- Act as charter school advocates and liaisons between the community and school.
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SECTION 4. Establishment of Bylaws

SECTION 4.1. The Governing Board shall adopt Bylaws which set forth the framework for how the school is governed and managed by the Board and the Administrator or other designated official(s) (“Bylaws”), and a statement of policies which reference the collection of policies officially adopted by the Board (“BCCS Policy”).

SECTION 4.2. Any provision contained in the BCCS Board Bylaws or BCCS Policy that is in conflict with the laws of the State of Georgia shall be null and void.

SECTION 5. Board Accountability

SECTION 5.1. The BCCS Governing Board is accountable for upholding all federal, state, and local laws, rules, and regulations as promulgated by the United States Congress, Georgia State Legislature, federal, state, or local courts, agencies, or municipalities.

SECTION 5.2. The Board is accountable for meeting the terms of the charter and attaining established goals and objectives set forth in the charter document. Furthermore, the Board is committed to meeting the legislative intent of raising student achievement and shall ensure the school operates in a fiscally responsible manner evidenced by an unqualified audit annually.

BOARD ORIENTATION

SECTION 1. Board Orientation

SECTION 1.1. Within the first year of membership, new members to the BCCS Governing Board shall participate in 15 hours of training provided by an agency qualified to provide training specific to charter schools and non-profit governance in accordance with O.C.G.A. § 20-2-2072 and SBOE Rule 160-4-9-.06.

SECTION 1.2 Each new Board Member shall present to the Board Secretary evidence of participation or certificates of completion to demonstrate the requirement has been satisfied.

SECTION 2. **Board Documents**

SECTION 2.1. Each new Board Member shall receive access to and shall review and become familiar with the following Board approved documents:

- BPCBE By-laws;
- BCCS Board Policies;
- Code of Ethics for Board Members;
- Board Conflict-of-Interest Policy;
- BCCS Strategic Plan;
- BCCS Charter Document including Performance Goals and Objectives;
- Board Calendar
- BCCS Financial Reports.

BOARD MEMBER DEVELOPMENT OPPORTUNITIES

SECTION 1. **Scope of Activities**

SECTION 1.1. The BCCS Governing Board regards the following as the kinds of activities and services appropriate for implementing this policy:

- Participation in conferences, workshops, and conventions held by state and national associations supporting charter schools, non-profits, or other related organizations
- Authorizer-sponsored training sessions provided for or required for Board members
- Subscriptions to publications related to topics relevant to governance, charter schools, school reform, or other related topics.
- Speakers addressing topics of interest expressed by the Board

SECTION 2. **Board Development Requirements**

SECTION 2.1. Each Board Member shall attend at least 9 hours of professional training annually in accordance with O.C.G.A. § 20-2-2072 (or O.C.G.A. § 20-2-2084). Each Board Member shall present to the Board Secretary evidence of participation or certificates of completion to demonstrate the requirement has been satisfied.

SECTION 2.2 Each Board Member in his or her first year of service shall attend at least 15 hours of professional training in accordance with O.C.G.A. § 20-2-2072 (or O.C.G.A. § 20-2-2084). Each Board Member shall present to the Board Secretary evidence of participation or certificates of completion to demonstrate the requirement has been satisfied.

SECTION 3. **Appropriation of Funds**

SECTION 3.1. The Board shall appropriate adequate funds in the school's annually approved budget to support and promote professional development opportunities for each of its Board Members and to satisfy the provisions of this Policy.

BOARD MEMBER COMPENSATION AND EXPENSES

SECTION 1. Compensation

SECTION 1.1. Members of the BCCS Governing Board shall receive no remuneration for service on the Board, nor shall any member provide a service or product for which they receive compensation.

SECTION 2. Expenses

SECTION 2.1. Members of the Board may be reimbursed for reasonable and customary actual expenses incurred during service to the Board. Prior approval by the Administrator and/or Board for expenditures is required.

SECTION 2.2. Reasonable and customary expenses may include but are not limited to travel costs for Board related events, fees for approved professional development opportunities as defined herein, and other Board related expenses that have been pre-approved by the Administrator or Board.

SECTION 2.3. Costs for travel shall be reimbursed according to guidelines set forth by the Internal Revenue Service or other state agency promulgating these guidelines.

SECTION 2.4. Forward funding or reimbursement of expenses shall comply with the school's financial policies and procedures.

BOARD CONDUCT AND CODE OF ETHICS

SECTION 1. Board Authority Over Individual Authority

SECTION 1.1. Authority of the Board rests only with the Board as a whole and not with any individual Board Member unless expressly provided for in the Board's Bylaws and/or through Board resolution. As such, each Member shall act accordingly.

SECTION 1.2. The Board vests authority for management of the school in the Administrator and in good faith, shall not undermine the authority of the Administrator or intrude into responsibilities that appropriately belong in the scope of management, including, but not limited to such functions as hiring, transferring, or dismissing employees.

SECTION 1.3. The Board shall make reasonable efforts to keep the Administrator informed of concerns or specific recommendations that any Member of the Board may bring forth to the Board as a whole or a committee of the Board.

SECTION. 1.4. The Board shall honor the established protocol and respective policy related to student, parent, or staff grievances.

SECTION 2. Duties and Responsibilities

SECTION 2.1. Board Members agree to communicate on Board related correspondence in a timely manner defined as no more than 24 hours, unless impracticable.

SECTION 2.2. Board Members' actions shall reflect that their utmost concern is for the welfare of the students served by the school.

SECTION 2.3. Each Member shall work diligently to uphold the mission of the school, to be an ambassador in the community for the school, and to support the appropriate and efficient use of resources, including financial and human capital.

SECTION 2.4. Each Board Member shall uphold and enforce laws, rules, regulations, and other mandates pertaining to public charter schools.

SECTION 3.0 Accountability to Stakeholders and Community Relations

SECTION 3.1. The Board shall at all times maintain transparency in compliance with all applicable laws and Board policy and shall endeavor to provide information in a timely, concise, and relevant manner to all stakeholders.

SECTION 3.2. Each Board Member shall be a positive ambassador for the school in the community and shall seek partnerships that enhance the school's programs, services, and resources.

SECTION 3.3. The Board shall regularly and systematically communicate information to stakeholders including, but not limited to academic achievement and fiscal health of the school.

SECTION 3.4. Board Members shall, in a timely manner, communicate to the Board or the Administrator expressions of public reaction to Board policies and school programs.

SECTION 4. Policy Development

SECTION 4.1. Board Members shall regularly review and revise policies that improve the programs, services, safety, and practices of the school.

SECTION 4.2. Each Board Member shall make policy related decisions only after full discussion at publicly held Board and Committee meetings following an established policy or procedure formally adopted by the Board.

SECTION 5. Board Meetings

SECTION 5.1. To ensure proper execution of duties and active engagement in the work of the Board, Board Members shall attend no less than 75% all Board meetings and functions sponsored by the Board.

SECTION 5.2. To ensure proper execution of duties and active engagement in the work of the Board, Board Members shall attend all meetings fully prepared to actively discuss and deliberate on matters requiring Board attention or resolution. This extends to fully reviewing all documentation provided in advance of Board meetings including meeting agendas, minutes, and attached documentations supporting Board discussion or action.

SECTION 5.3. Board Members shall work in a spirit of harmony and cooperation in spite of differences of opinion or philosophy that may arise during discussion and resolution of issues.

SECTION 5.4. Each Member shall comply with the provisions of the Open Meetings Act related to participating in executive/closed sessions.

SECTION 5.5. Board Members shall maintain confidentiality of all discussions and other matters pertaining to Board business during executive sessions of the Board or related to matters or information protected by law.

SECTION 5.6. Each Member shall in good faith make decisions related to the greater good as opposed to any particular segment or group.

SECTION 5.7. Each Board Member shall engage fully in discussion prior to casting a Board vote and shall vote only on matters where the member has full understanding and adequate and appropriate information to make an informed decision.

SECTION 5.8. After casting a vote on any issue, each Member agrees to abide by and support all majority decisions of the Board.

SECTION 6. **Personnel**

Section 6.1. The Board shall only consider employment of personnel after receiving and fully considering the recommendation of the Administrator.

SECTION 6.2. Consideration for employment of the Administrator shall be made based on the needs and interests of the school. Decisions shall be made based on qualifications, experience, philosophy, verifiable performance, and fiscal feasibility related to compensation. All hiring decisions shall be made in accordance with applicable state and federal law and shall not be made based upon race, gender, national origin or any other factor prohibited by law.

SECTION 6.3. The Board shall ensure regular and impartial evaluations of all staff and the appropriate supervisor or supervising body shall provide timely, written feedback related to formal evaluations.

SECTION 7. **Financial Governance**

SECTION 7.1. The Board shall refrain from and guard against use of any Board Member for personal or partisan gain or to benefit any person or entity over the interest of the school. Such gain refers to more than nominal or incidental amounts which would tend to impair or hinder independent judgment or action in the performance of official duties.

SECTION 7.2. The Board shall require and regularly review financial information and shall ensure proper stewardship of public funds related to appropriate, efficient, and responsible use. In addition, the Board shall carefully protect and monitor the fiscal health of the school and support actions which ensure sustainability of the school.

SECTION 8. **Board Member Conduct**

SECTION 8.1. Each Board Member shall conduct him or herself publicly in a manner befitting a public official and shall remember that personal actions and behavior reflect upon the school.

SECTION 8.2. Members shall communicate with fellow Board Members, staff, parents, and community members in a respectful, professional manner at all times.

SECTION 8.3. Each Member shall refrain from any private action which would compromise the integrity, honor, function, or reputation of the Board or the school.

SECTION 8.4. Every Member of the Board shall annually file a written statement acknowledging that he or she is in compliance with this Code of Ethics and supports the responsibilities of Board service.

SECTION 9. **Conflicts Of Interest**

SECTION 9.1. Board Members shall annually notify the Board in writing of any known potential or actual conflicts of interest.

SECTION 9.2. Each Member of the Board shall publicly announce potential or actual conflicts prior to Board discussion or action and shall excuse themselves from deliberation, discussion, or vote. Such announcements shall be recorded in the official Board minutes.

SECTION 9.3. Any Board Member suspecting a potential or actual conflict of interest of self or another member has a duty and obligation to announce the possibility prior to Board deliberation, discussion, or resolution.

SECTION 9.4. Each Member of the school's Board shall comply with conflicts of interest policies of the Board, and all laws, rules, regulations, and related requirements established by the State Board of Education, district authorizers, or the Internal Revenue Service.

SECTION 9.5. No Member shall vote or otherwise participate in the negotiation or making of any contract or agreement with any business, entity, or individual in which he/she and his/her relative or other close relationship has a financial, either direct or indirect, interest.

SECTION 9.6. Members shall not solicit, accept, or agree to accept gifts, loans, gratuities, discounts, payments, or services from any individual, entity, or business in exchange for information, resolution, or partisan favor.

SECTION 9.7. No Member shall have a direct or indirect relationship with individuals, entities, or businesses or have personal interest, directly or indirectly, in school real estate, school

textbooks, equipment, buses, school materials, or other supplies or services procured on behalf of the school.

SECTION 9.8. No Member of the Board shall facilitate, support, or provide access to surplus materials or property of the school to individuals, entities, or businesses.

SECTION 9.9. Members of the Board shall not serve on the governing body of private K-12 institutions or public Boards which otherwise compromise the Member's ability to appropriately fulfill duties to the school and serve the best interests of the school foremost.

SECTION 9.10. Members of the Board shall not hold public office during service on the board.

SECTION 9.11. School Board Members shall not be employed by the State Department of Education, the local Board of Education, or serve concurrently as a member of the State Board of Education.

SECTION 9.12. Each Board Member shall be independent of each of the other Members and shall not be related by familial or business connections.

SECTION 9.13. No Member of the Board may be employed by the Board for any position within the school.

SECTION 9.14. No Member of the Board may be in partnership or sole owner of a business conducting business with the Board.

SECTION 9.15. No Member of the Board may be affiliated in a manner which poses a conflict as described herein with a bank or financial institution doing business with the Board.

SECTION 9.16. No Member of the Board may employ or promote any person who is a relative of any Board Member unless a public, recorded vote is taken on such employment or promotion as a separate matter from any other personnel matter.

SECTION 9.17. Violation of this conflict of interest policy and disclosure requirements may constitute malfeasance, which is a violation of non-profit regulations. Such action may be subject to suspension or removal from Board service and may require legal action on the part of the school for violation of fiduciary duty.

SECTION 9.18. As used in this policy, "relative" shall mean any individual who is related to the Board member as a father, mother, son, daughter, brother, sister, husband, wife, grandmother, grandfather, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, any relative living in the household of the Board Member, a person who is engaged to be married to the Board Member, an individual who is generally known as the individual intended to marry or with whom the board member intends or actually shares a household, or any other natural person sharing legal residence, either business or personal.

BOARD MEETING AGENDAS and PUBLIC NOTICE

SECTION 1. Open Meetings Act

SECTION 1.1 In accordance with the Open and Public Meetings Act (O.C.G.A. 50-14-1 through 50-14-6), when a quorum of Board Members meets to discuss official business or policy, or takes official action, the public shall have notice of the meeting, and the meeting shall be made open and accessible to the public.

SECTION 1.2 The Board shall approve an annual Board meeting schedule and publish the schedule in accordance with O.C.G.A. 50-14-1 through 50-14-6.

SECTION 1.3 If the Board holds a called meeting at a time or date other than its adopted meeting schedule, the Board shall publish notice at least 24 hours in advance with the county's legal organ. Notice shall include time, date, place, and agenda for the called meeting.

SECTION 2. Development of Agendas

SECTION 2.1. Board meeting agendas shall be developed by the Board Chair, in consultation with the Administrator and the Executive Committee.

SECTION 3. Schedule

SECTION 3.1. The following guidelines shall be utilized when creating, distributing and posting Board meeting agendas. Nothing shall prevent the Board from preparing and publishing a Board meeting agenda prior to the guidelines established below, as long as preparation and publishing falls within the requirements of the Open Meetings Act.

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|---|--|
| a) 7-10 days prior to the Board meeting | Agenda items requested; |
| b) 5-7 days prior to the Board meeting | Agenda items due; |
| c) 3-5 days prior to the Board meeting | Agenda ready for review by the Board and the Administrator; |
| d) 2-3 days prior to the Board meeting | Agenda distributed to the Board & Administrator, posted on the school's website and at the school on a public message board utilized for such purposes |

SECTION 4. Speakers

SECTION 4.1 Any member of the public may attend any regularly scheduled or called Board meeting, with the exception of Executive Sessions, which are defined more fully below. Members of the public in attendance at a Board meeting may not speak, participate in, ask

questions, present material (hereinafter referred to collectively as “Speak”) or otherwise disrupt or interrupt the Board Meeting.

SECTION 4.2. If a member of the public wishes to Speak at a Board meeting, he/she must provide notice to the Administrator not less than 36 hours prior to the Meeting of their desire to Speak. Notice shall include a brief description of the topic upon which they will Speak and identify any guests or other members of the public they intend to bring.

SECTION 4.3 The decision of whether a member of the public shall be permitted to Speak at a Board meeting is at the discretion of the Board. Any member of the public who is granted permission to Speak at a Board meeting shall have a total of two minutes to do so.

SECTION 4.4 Board Members may, at their discretion, ask questions of the Speaker, but are not required to answer questions or to respond to the Speaker in any way. If the Board determines that a reply or other action is warranted in response to the Speaker, the Board may notify the Speaker of the same within 48 hours.

BOARD MEETING SUMMARY AND MINUTES

SECTION 1. Meeting Summary

SECTION 1.1. A Board meeting summary will be available for review within 3 business days of the Board meeting, in accordance with the Open and Public Meetings Law (O.C.G.A. 50-14-1).

SECTION 2. Official Board Minutes

SECTION 2.1. Board Minutes shall not be considered official until reviewed and accepted by the Board in a public Board Meeting.

SECTION 2.2. Board Meeting Minutes will be promptly recorded and will become public record once approved by the Board at the next regularly scheduled Board Meeting.

SECTION 2.3. For any Board Meeting involving an executive session, the Meeting Minutes will include a notarized affidavit from the Presiding Officer confirming the topics discussed during the executive session.

EXECUTIVE (CLOSED) SESSION MEETINGS

SECTION 1. Purpose of Executive (Closed) Session Meetings

SECTION 1.1. In accordance with Georgia’s Open Meetings Act, the Board may close a portion of an open Board meeting to the public to discuss one of the following statutorily permitted topics:

1. To review an appeal from a Student Disciplinary Tribunal [Hearing Officer, Panel]; (OCGA 20-2-757)
2. To consider a matter involving the disclosure of personally identifiable information from a student's educational records; (20 USC 1232g.)
3. To authorize negotiations to purchase, dispose of, or lease property; (OCGA 50-14-1(b)(1)(B))
4. To authorize the ordering of an appraisal related to the acquisition or disposal of real estate; (OCGA 50-14-1(b)(1)(C))
5. To enter into a contract or option to purchase, dispose of or lease property, subject to approval in a subsequent public vote; (OCGA 50-14-1(b)(1)(D, E))
6. To discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, but not when receiving evidence or hearing argument on charges filed to determine disciplinary action; (OCGA 50-14-1(b)(2))
7. To consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the school district or an officer or employee or in which the officer or employee may be directly involved; (OCGA 50-14-2)
8. To discuss tax matters which are confidential by state law; (OCGA 50-14-2)
9. To discuss records (or portions thereof) exempt from public inspection or disclosure pursuant to Article 4 of Chapter 18 of Title 50. (OCGA 50-18-72)

SECTION 2. Executive (Closed) Session Protocol

SECTION 2.1. The specific reasons for closure of a public meeting shall be recorded in the official Minutes.

SECTION 2.2. Meetings shall not be closed to the public except by a majority vote of a quorum present for the meeting.

SECTION 2.3. The Minutes shall reflect the names of the members present and the names of those voting for closure.

SECTION 2.4. In accordance with Georgia law, following any executive session the Board Chair or other presiding officer shall execute and file with the official Minutes of the Meeting, a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof

was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

SECTION 2.5. The Board Chair or other presiding officer shall, at the conclusion of each meeting where at least a portion was closed, complete and sign an affidavit stating the reasons for the closure of the meeting and stating that voting did not occur within the closed session.

SECTION 2.6. Board resolution shall not be conducted in Executive (Closed) session. All voting shall be conducted in a public board meeting.

POLICY ADOPTION, REVISION, AND REPEAL

SECTION 1. Identification

SECTION 1.1. Identification of policies requiring adoption, revision, or repeal shall be made by the Administrator or another member of the Governing Board.

SECTION 2. Policy Adoption

SECTION 2.1. The Governing Board or a designated committee of the Board, in consultation with the Administrator shall develop a drafted policy and shall present the draft as an item of information at a regularly scheduled Board meeting.

SECTION 3. Policy Revision

SECTION 3.1. The Governing Board or a designated committee of the Board, in consultation with the Administrator shall develop a revised policy and shall present the draft as an item of information at a regularly scheduled Board meeting.

SECTION 4. Policy Repeal

SECTION 4.1. The Governing Board or a designated committee of the Board, in consultation with the Administrator, shall present the policy for repeal as an item of information at a regularly scheduled Board meeting.

SECTION 5. Emergency Policy Adoption, Revision, or Repeal

SECTION 5.1. For matters of unusual urgency, the Governing Board may elect to waive the item of information meeting notice and vote to ratify a policy, policy revision, or repeal a policy at a regularly scheduled public Governing Board meeting.

SECTION 6. Records of Policies

SECTION 6.1. Decisions by the Governing Board to adopt, revise, or repeal a policy shall be made by reference a part of the minutes of the meeting.

SECTION 6.2. All policies shall be included as part of the policy manual of the school. Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the resolution.

GOVERNING BOARD RECORDS

SECTION 1. Custody of Records

SECTION 1.1. All official records of the Governing Board shall be kept and safeguarded by the Administrator who shall also be responsible for the safekeeping of all official papers, including titles, contracts, obligations, and other documents which belong to the Board or pertain to its business.

SECTION 2. Records Availability for Inspection

SECTION 2.1. Governing Board records such as official minutes of the Board, its written policies, and its financial records shall be open for inspection by any member of the community desiring to examine them during school hours in accordance with O.C.G.A. 50-14-1 through 50-14-6.

SECTION 2.2. Records pertaining to individual students or staff members shall not be released for inspection by the public or any unauthorized persons, either by the Administrator or other persons responsible for the custody of confidential files.

SECTION 3. Records Retention

SECTION 3.1. Records retention of Governing Board records shall follow the school's records retention schedule, which is compliant with state records retention mandates.